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FM AMEMBASSY OSLO  
TO RUEHC/SECSTATE WASHDC 3667  
INFO RUEHSM/AMEMBASSY STOCKHOLM 2793  
RUEHCP/AMEMBASSY COPENHAGEN 2028  
RUEHRK/AMEMBASSY REYKJAVIK 0657  
RUEHHE/AMEMBASSY HELSINKI 7767  
RUCPDOC/USDOC WASHDC

UNCLAS OSLO 000348

SIPDIS

SENSITIVE  
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STATE FOR EUR/NB DALLAND; EB/IPE FOR CLACROSSE  
DOC FOR 4212 MAC/EUR/OEURA  
STATE PLS PASS TO USTR FOR JASON BUNTIN AND JENNIFER CHOE-GROVES  
COMMERCE PLEASE PASS TO USPTO FOR JOELLEN URBAN

E.O. 12958: N/A

TAGS: [ETRD](#) [KIPR](#) [MARR](#) [MASS](#) [EFIS](#) [PREL](#) [NO](#)  
SUBJECT: AMBASSADOR PRESSES CONCERN ON IPR, JOINT STRIKE FIGHTER IN INITIAL CALL ON TRADE MINISTER

REFS: A) OSLO 207 B) STATE 14937

¶11. (SBU) Summary: In his initial call on Norwegian Trade and Industry Minister Odd Eriksen on March 17, the Ambassador raised concerns about weak "process" patent protections for pharmaceuticals and urged that Norwegian industry aggressively seek Joint Strike Fighter program contracts. Eriksen criticized U.S. antidumping/countervailing duties on Norwegian salmon and, on JSF, stressed the importance of granting more contracts to Norwegian firms, but otherwise expressed satisfaction with bilateral trade relations. End summary.

Weak Pharma Patents Threaten U.S. Firms, Norwegian Jobs

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¶12. (SBU) On pharmaceutical patents, the Ambassador told the Minister he had now met with industry representatives twice, including the day before, about the patent problem (see ref A). The Ambassador noted that U.S. pharmaceutical firms faced severe losses in revenue if generic competitors to their patented drugs were allowed into the local market. Other European countries, e.g. Finland, which had like Norway formerly granted only weak "process" patent protection to drugs, had already taken remedial action. Norway should not be out of step with the rest of Europe and the world on this issue. The Ambassador stressed that high-paying, high-skill jobs for Norwegians were at stake. It was also important for Norway to maintain a level playing field for foreign investors and companies. The Ambassador requested Eriksen to take a careful look at the issue and support amending Norway's health regulations to resolve the problem.

¶13. (SBU) Eriksen said he was not familiar with the issue (though the Embassy informed his staff in advance that the Ambassador would raise it). Ministry Director General Jan Farberg, also in attendance, stepped in to say he knew the issue, that the Health Ministry was currently looking into it, and that an inter-ministerial meeting would convene shortly to discuss it. Farberg downplayed the role of the Trade Ministry, however, passing the buck to the Health Ministry. He did not know

what the Health Ministry's position was; the Trade Ministry was adopting a wait-and-see attitude until the Health Ministry took a position. The Ambassador said he understood that the Health Ministry had the lead role, but that this was not just a health issue, but also an important trade issue that required the Trade Ministry's attention.

JSF: Norway Needs to Get in the Game

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¶4. (SBU) Eriksen cited the Joint Strike Fighter program as an "exception" to the otherwise healthy bilateral trade relationship, meaning that Norwegian industry was not getting enough contracts. The Ambassador countered that Norwegian industry, specifically Kongsberg Aerospace and Defense, needed to be more aggressive in competing for JSF program contracts. In fact, Kongsberg had turned down contracts, including a multi-million dollar composites deal. Norway had to break a "Catch-22" circle -- industry would not invest much in pursuing JSF contracts until the government committed to the program, but the government would not commit to the program until industry secured more contracts. If developing Norway's defense industry were the government's goal, it could best meet it by participating in the world's largest, most technologically advanced fighter plane program.

Norwegian Salmon Exports Threatened on Several Fronts

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¶5. (SBU) Eriksen's lead trade complaint was the USG's refusal to rescind antidumping/countervailing duties first imposed on Norwegian salmon 15 years ago. Eriksen noted that Norwegian salmon exports were under assault on several fronts -- the U.S. duties, the EU's imposition of antidumping measures, and Russia's recent ban on fresh salmon imports on health grounds.

Comment: Eriksen Not Expected to be Effective

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¶6. (SBU) Some media pundits and opposition politicians have labeled Eriksen one of the least influential ministers in the center-left government. While Post will continue to raise trade and commercial concerns with the Trade Ministry, we have our doubts that the ministry will be very effective in addressing them. End comment.

WHITNEY